

Canady; Nancy E. McFadden, General Counsel, Department of Transportation; Valery J. Pech, Adarand Constructors, Inc., Colorado Springs, Colorado; Janet Schutt, Schutt-Lookabill Contractors, Indianapolis, Indiana; George R. LaNoue, University of Maryland Graduate School, Baltimore; Eugene Volokh, UCLA Law School, Los Angeles, California; and Mark Tushnet, Georgetown University Law Center, and Michael Carvin, Cooper & Carvin, both of Washington, D.C.

### GLOBAL TOBACCO SETTLEMENT

*Committee on Labor and Human Resources:* Committee resumed hearings to examine the scope and depth of the proposed settlement between State Attorneys General and tobacco companies to mandate a total reformation and restructuring of how tobacco products are manufactured, marketed, and distributed in America, focusing on the need to prevent young peo-

ple from using tobacco products and other public health goals, receiving testimony from Louis W. Sullivan, Morehouse School of Medicine, Atlanta, Georgia, former Secretary of Health and Human Services; Ronald M. Davis, Center for Health Promotion and Disease Prevention/Henry Ford Health System, Detroit, Michigan, former Director, Office on Smoking and Health, Centers for Disease Control, Department of Health and Human Services; Washington State Attorney General Christine O. Gregoire, Olympia, on behalf of State Attorneys General; David S. Rosenthal, Harvard University Medical School, on behalf of the American Cancer Society, and Gregory N. Connolly, Massachusetts Department of Public Health, both of Boston, Massachusetts; and Stanley M. Chesley, Waite, Schneider, Bayless & Chesley Co., Cincinnati, Ohio, on behalf of the Castano Plaintiffs Litigation Committee.

Hearings were recessed subject to call.

---

## House of Representatives

### Chamber Action

**Bills Introduced:** 11 public bills, H.R. 2578–2588; and 2 resolutions, H. Con. Res. 161–162, were introduced. **Pages H8264–65**

**Reports Filed:** Reports were filed today as follows:

H.R. 1839, to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles, amended (H. Rept. 105–285 part 1);

Revised Subdivision of Budget Totals for Fiscal Year (H. Rept. 105–286). **Page H8264**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he designated Representative Thune to act as Speaker pro tempore for today. **Page H8163**

**Journal Vote:** By a yea-and-nay vote of 360 yeas to 56 nays, Roll No. 466, agreed to the Speaker's approval of the Journal of Monday, September 29. **Pages H8165–66, H8170–71**

**Recess:** The House recessed at 9:24 a.m. and reconvened at 10:00 a.m. **Page H8165**

**Motion to Adjourn:** Rejected the Velazquez motion to adjourn by a yea-and-nay vote of 132 yeas to 285 nays, Roll No. 465. **Page H8170**

**Energy and Water Development Conference Report:** By a yea and nay vote of 404 yeas to 17 nays, Roll No. 468, the House agreed to the conference report on H.R. 2203, making appropriations for en-

ergy and water development for the fiscal year ending September 30, 1998. **Pages H8173–84**

Earlier, agreed to H. Res. 254, the rule waiving points of order against the conference report by a yea and nay vote of 415 yeas to 3 nays, Roll No. 467. **Pages H8171–72**

**Export-Import Bank Reauthorization:** The House completed general debate and began considering amendments to H.R. 1370, to reauthorize the Export-Import Bank of the United States. Consideration will resume at a later date. **Pages H8188–H8207**

**Agreed To:**

The Evans amendment that directs the Export-Import Bank to give preference to U.S. firms seeking assistance for activities in China to those that have adopted and adhered to a code of conduct for their international operations (agreed to by a recorded vote of 241 yeas to 182 noes, Roll No. 472); **Pages H8200–02, H8204–05**

The LaFalce amendment that renames the Export-Import Bank as the “American Export Bank” (agreed to by a recorded vote of 362 yeas to 56 noes, Roll No. 473). **Pages H8205–07**

**Rejected:**

The Frank of Massachusetts amendment that sought to require community work requirements for members of Boards of Directors of firms receiving assistance from the Export-Import Bank. **Pages H8202–03**

Rejected the McDermott motion to rise by a recorded vote of 128 ayes to 291 noes, Roll No. 470; and

Pages H8199–H8200

Rejected the DeLauro motion to rise by a recorded vote of 162 ayes to 257 noes, Roll No. 471.

Pages H8203–04

Agreed to H. Res. 255, the rule that is providing for consideration of the bill. Earlier, agreed to order the previous question by a yea and nay vote of 423 yeas to 3 nays, Roll No. 469.

Pages H8184–88

**Treasury, Postal Service Appropriations:** By a yea and nay vote of 220 yeas to 207 nays, Roll No. 474, the House agreed to the Conference Report on H.R. 2378, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1998.

Pages H8207–16

**Presidential Message—National Emergency Re Iran:** Read a message from the President wherein he transmitted his report concerning the national emergency with respect to Iran—referred to the Committee on International Relations and ordered printed (H. Doc. 105–137).

Page H8216

**Commerce, Justice, State, and Judiciary Appropriations:** By a yea and nay vote of 227 yeas to 199 nays, Roll No. 476, the House passed H.R. 2267, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998. The House completed general debate and considered amendments to the bill on September 24, 25 and 26.

Pages H8216–44

Rejected the Bonior motion to recommit the bill to the Committee on Appropriations.

Pages H8243–44

On demand for a separate vote, agreed to the Hyde amendment that allows any defendant who prevails in a federal prosecution an opportunity to recover attorney fees unless the government establishes that it was substantially justified in initiating and prosecuting the case, by a voice vote. The amendment was agreed to in the Committee of the Whole on September 25 by a recorded vote of 340 ayes to 84 noes, Roll No. 443.

Page H8243

Rejected:

The Mollohan amendment that sought to retain the full \$381.8 million appropriated for Census 2000; strike committee-reported language fencing all but \$100 million until enactment of authorizing legislation and prohibit the use of the unfenced \$100 million for activities relating to sampling; prohibit the use of any 1998 funds to make irreversible plans for the use of sampling or other statistical method in taking the census for purposes of congressional apportionment; and create a board of observers

for a fair and accurate census (rejected by a recorded vote of 197 ayes to 228 noes, Roll No. 475).

Pages H8217–39

On September 24, agreed to H. Res. 239, the rule that is providing for consideration of the bill.

Pages H7755–59

**Subpoena Enforcement In The Case of Dornan v. Sanchez:** By a yea and nay vote of 219 yeas to 203 nays with 1 voting “present”, Roll No. 478, the House agreed to H. Res. 244, as amended pursuant to the rule, demanding that the Office of the United States Attorney for the Central District of California file criminal charges against Hermandad Mexicana Nacional for failure to comply with a valid subpoena under the Federal Contested Elections Act.

Pages H8253–62

Agreed to H. Res. 253, the rule that provided for consideration of the resolution by a yea and nay vote of 221 yeas to 202 nays with 1 voting “present”, Roll No. 477. Earlier, agreed by unanimous consent to amend the rule.

Pages H8244–53

**Motion to Adjourn:** Agreed to the Scarborough motion to adjourn by a yea and nay vote of 206 yeas to 183 nays, Roll No. 479.

Page H8262

**Suspensions:** On Monday, September 29, the House agreed to suspend the rules and pass the following bills by voice vote:

**Clint and Fabens, Texas Independent School Districts Conveyance:** H.R. 1116, to provide for the conveyance of the reversionary interest of the United States in certain lands to the Clint Independent School District and the Fabens Independent School District.

Page H8063

**Child Support Incentive Act:** H.R. 2487, amended, to improve the effectiveness and efficiency of the child support enforcement program and thereby increase the financial stability of single parent families including those attempting to leave welfare.

Page H8084

**Senate Messages:** Messages received from the Senate today appear on pages H8166, H8200, and H8229.

**Referrals:** S. 459, to amend the Native American Programs Act of 1974 to extend certain authorizations, was referred to the committee on Resources.

Page H8263

**Quorum Calls—Votes:** Ten yea-and-nay votes and five recorded votes developed during the proceedings of the House today and appear on pages H8170, H8170–71, H8172, H8183, H8188, H8199–H8200, H8203–04, H8204–05, H8206–07, H8215–16, H8238–39, H8243–44, H8252–53, H8261–62, and H8262–63. There were no quorum calls.

**Adjournment:** Met at 9:00 a.m. and adjourned at 12:34 a.m. on Wednesday, October 1.

## ***Committee Meetings***

### **OPM's REPORT ON IMPROPER HIRING PRACTICES AT NCUA**

*Committee on Banking and Financial Services:* Subcommittee on General Oversight and Investigations held a hearing to review OPM's Report on Improper Hiring Practices at the National Credit Union Administration. Testimony was heard from Janice Lachance, Acting Director, OPM; and the following officials of the National Credit Union Administration: Norman D'Amours, Chairman; Shirlee Bowne, Vice-Chairman; and Yolanda Wheat, Board Member.

### **OVERVIEW—NIH PROGRAMS**

*Committee on Commerce:* Subcommittee on Health and Environment held a hearing on an Overview of National Institutes of Health Programs. Testimony was heard from the following officials of the NIH, Department of Health and Human Services: Harold E. Varmus, M.D., Director; Francis Collins, M.D., Director, National Human Genome Research Institute; Donald Lindberg, M.D., Director, National Library of Medicine; David Lipman, M.D., National Library of Medicine; Richard Hodes, M.D., Director, National Institutes of Aging; Zach Hall, M.D., Director, National Institute of Neurological Disorders and Stroke; and Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases.

### **COMMUNICATIONS SATELLITE COMPETITION AND PRIVATIZATION ACT**

*Committee on Commerce:* Subcommittee on Telecommunications, Trade, and Consumer Protection held a hearing on H.R. 1872, Communications Satellite Competition and Privatization Act of 1997. Testimony was heard from Regina M. Keeney, International Bureau Chief, FCC; Jack A. Gleason, Associate Administrator, International Affairs, National Telecommunications and Information Administration, Department of Commerce; and public witnesses.

### **PUBLIC AND PRIVATE SCHOOL CHOICE**

*Committee on Education and the Workforce:* Subcommittee on Early Childhood, Youth and Families held a hearing on Public and Private School Choice. Testimony was heard from public witnesses.

### **REVIEW—FEDERAL EMPLOYEES COMPENSATION ACT**

*Committee on Education and the Workforce:* Subcommittee on Workforce Protections held a hearing to Review the Federal Employees Compensation Act

(FECA). Testimony was heard from the following officials of the Department of Labor: Shelby Hallmark, Acting Assistant Secretary, Office of Worker's Compensation Programs; and Charles Masten, Inspector General; and Mike Brostek, Associate Director, Federal Management and Workforce Issues, GAO.

### **MISCELLANEOUS MEASURES**

*Committee on Government Reform and Oversight:* Ordered reported amended the following bills: H.R. 404, to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer to State and local governments of certain surplus property for use for law enforcement or public safety purposes; and H.R. 1962, Presidential and Executive Office Financial Accountability Act of 1997.

### **MISCELLANEOUS MEASURES**

*Committee on International Relations:* Ordered reported amended H.R. 2386, United States-Taiwan Anti-Ballistic Missile Defense Cooperation Act.

The Committee also reconsidered its earlier action and ordered reported amended H.R. 967, to prohibit the use of United States funds to provide for the participation of certain Chinese officials in international conferences, programs, and activities and to provide that certain Chinese officials shall be ineligible to receive visas and be excluded from admission to the United States

### **ADMINISTRATION'S POLICY TOWARD ASIA**

*Committee on International Relations:* Subcommittee on Asia and the Pacific held a hearing on the Administration's Policy Toward Asia. Testimony was heard from Stanley Roth, Assistant Secretary, East Asian and Pacific Affairs, Department of State.

### **OVERSIGHT—SEEKING RESULTS FROM JUSTICE DEPARTMENT**

*Committee on the Judiciary:* Held an oversight hearing on Seeking Results from the Department of Justice. Testimony was heard from Norman J. Rabkin, Director, Administration of Justice Issues, General Government Division, GAO; and Stephen R. Colgate, Assistant Attorney General, Administration, Justice Management Division, Department of Justice.

### **MISCELLANEOUS MEASURES**

*Committee on the Judiciary:* Subcommittee on Courts and Intellectual Property approved for full Committee action the following: H.R. 1534, amended, Private Property Rights Implementation Act of 1997; H.R. 1967, to amend title 17, United States Code, to provide that the distribution before January 1, 1978, of a phonorecord shall not for any purpose